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#4

FAX TRANSMITTAL

Date: August 20, 1998
To: Karen Tyson
Fax No.: 703-308-6916
From: Charles R. Hoffman

Number of pages including this sheet: 3

Any problems with reception, call Ruth Holbrook: (602) 956-7000

Our telefax number is (602) 495-9475

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PETITIONS OFFICE

CAHILL, SUTTON & THOMAS P.L.C.
ATTORNEYS AT LAW

PATENTS, TRADEMARKS AND COPYRIGHTS

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PHOENIX, ARIZONA 85016-4737
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CHARLES R. HOFFMAN

DIRECT FAX: (602) 956-4298

August 20, 1998

VIA FACSIMILEKaren Tyson
Assistant Commissioner for Patents

Washington, D.C. 20231

RE: RULE 47 PETITION
U. S. PATENT APPLICATION SERIAL NO. 08/873,999

Dear Mrs. Tyson:

In our telephone conversation today you explained that the papers filed under Rule 47 for the above application do not expressly state that a copy of the complete patent application as filed in the U. S. Patent Office was presented to Mr. Garth Gobeli.

Accordingly, the undersigned attorney hereby states that a copy of the complete patent application as filed in the U. S. Patent Office, along with a cover letter, was mailed to Mr. Garth Gobeli at TecMed, Incorporated on June 12, 1997.

As evidence, attached is a true copy of the cover letter dated June 12, 1997 to Mr. Gobeli, specifically stating

"Enclosed for your file is a copy of the following, as filed in the U. S. Patent Office:

1. Specification, claims and abstract;
2. Ten (10) sheets of drawings".

Accordingly, it is respectfully submitted that the record now contains adequate evidence that Mr. Gobeli was in possession of the application as filed at the time the Declaration and Power of Attorney and Assignment were presented to him and he was requested to sign them.

Respectfully Submitted,


Charles R. HoffmanCRH/rh
attachment

CAHILL, SUTTON & THOMAS P.L.C.

ATTORNEYS AT LAW

PATENTS, TRADEMARKS AND COPYRIGHTS

155 PARK ONE
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June 12, 1997

CHARLES R. HOFFMAN

DIRECT FAX: (602) 956-4296

Mr. Garth Gobeli
TECMED, INCORPORATED
5012 Copper Blvd., N.E.
Albuquerque, New Mexico 87108

RE: U.S. PATENT APPLICATION ENTITLED "METHOD AND DEVICE FOR
GLUCOSE CONCENTRATION MEASUREMENT WITH SPECIAL
ATTENTION TO BLOOD GLUCOSE DETERMINATIONS",
OUR DOCKET NO. 5899-A-01

Dear Garth:

The above application was forwarded to the U.S. Patent
and Trademark Office on this date via Express Mail for filing.
It will receive a filing date of June 12, 1997. We will advise
you of the serial number of the application when we receive the
government filing receipt.

Enclosed for your file is a copy of the following, as
filed in the U.S. Patent Office:

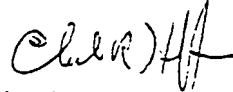
- 1) specification, claims and abstract;
- 2) ten (10) sheets of drawings.

As soon as we receive a Notice to File Missing Parts
from the Patent Office we will prepare a Declaration and Power of
Attorney and an Assignment to be signed by the you, and a
Verified Statement Claiming Small Entity Status to be signed by
Alan Leszinske.

Our invoice is enclosed.

Sincerely yours,

CAHILL, SUTTON & THOMAS P.L.C.



Charles R. Hoffman

CRH/rh
enclosures